

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ruben et al.

Docket No.: PZ028P2C1

Application No.: 10/849,979

Confirmation No.: 8748

Filed: May 21, 2004

Art Unit: 1646

For: Antibodies To HHPEN62 Polypeptide (As
Amended)

Examiner: P. Mertz

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Applicants hereby direct the Examiner's attention to references BL-BW listed on the attached Form PTO/SB/08a/b. A copy of each of references BR - BU is attached with the Reply Under 37 C.F.R. §§ 1.114 and 1.111 as Exhibits A, B, E, and F. Copies of references BV and BW are attached hereto.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:139 and the corresponding cDNA clone of this application 10/849,979 are related to SEQ ID NO:5905 in copending U.S. Patent Application Serial No. 10/100,683, filed March 19, 2002; SEQ ID NO:5905, in copending U.S. Patent Application Serial No. 11/001,793, filed December 2, 2004; SEQ ID NO:650, in copending U.S. Patent Application Serial No. 11/366,486 filed March 3, 2006; SEQ ID NO:371, in copending U.S. Patent Application Serial No. 10/472,533 filed September 20, 2003; and SEQ ID NO:497 in copending U.S. Patent Application Serial No. 10/664,357 filed September 20, 2003; and SEQ ID NOS:3067 and 4313-4316 in copending U.S. Patent Application Serial No. 10/405,027 filed April 2, 2003. Applicants note that none of the above recited sequences are claimed in U.S. Patent Application Serial Nos. 10/100,683, 11/001,793, 11/366,486, 10/472,533, and 10/664,357.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.704(d), the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. In particular, the listed references were cited in a Partial European Search Report (reference BF) dated March 23, 2005, in connection with a corresponding European patent application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action after the filing of a request for continued examination, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., Deposit Account No. 08-3425.

Dated: JANUARY 23, 2007 Respectfully submitted,

By Jared S. Cohen
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/849,979-Conf. # 8748
				Filing Date	May 21, 2004
				First Named Inventor	Steven M. Ruben
				Art Unit	1646
				Examiner Name	P. Mertz
Sheet	1	of	1	Attorney Docket Number	PZ028P2C1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BL	10/100,683	NOT YET PUBLISHED	Rosen et al.	
	BM	11/001,793	NOT YET PUBLISHED	Rosen et al.	
	BN	11/366,486	11-02-2006	Rosen et al.	
	BO	10/664,357	NOT YET PUBLISHED	Rosen et al.	
	BP	10/472,533	11-08-2005	Rosen et al.	
	BQ	10/405,027	NOT YET PUBLISHED	Rosen et al.	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BR	NOTHEN et al., "Evaluation of Linkage of Bipolar Affective Disorder to Chromosome 18 in a Sample of 57 German Families," <i>Molecular Psychiatry</i> , 4:76-84 (1999).	
	BS	MCMAHON et al., "Linkage of Bipolar Disorder to Chromosome 18q and the Validity of Bipolar II Disorder," <i>Arch. Gen. Psychiatry</i> , 58:1025-1031 (2001).	
	BT	WISNIEWSKI et al., "Neurological Disease in a Child with Carnosinase Deficiency," <i>Neuropediatrics</i> , 12:143-151 (1981).	
	BU	LENNEY et al., "Homocarnosinosis: Lack of Serum Carnosinase is the Defect Probably Responsible for Elevated Brain and CSF Homocarnosine," <i>Clin. Chim. Acta.</i> , 132:157-165 (1983).	
	BV	ZHENG, Wei-ping and R.A. Flavell, "The Transcription Factor GATA-3 Is Necessary and Sufficient for Th2 Cytokine Gene Expression in CD4 T Cells," <i>Cell</i> , 89:587-596 (May 16, 1997).	
	BW	SERREZE et al., "Th1 to Th2 Cytokine Shifts in Nonobese Diabetic Mice: Sometimes an Outcome, Rather Than the Cause, of Diabetes Resistance Elicited by Immunostimulation," <i>J. Immunol.</i> , 166: 1352-1359 (2001).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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